



PRESCOTT, APRIL 11, 1896.

## TWO CLASSES OF LIARS.

We have it on good authority that Major Miller, of the 14th regulars, (of whose death at the hands of the Apaches a notice is elsewhere given,) remarked a few moments before his death, when it was proposed by a citizen teamster, who had been over the road, that skirmishers be sent in advance on each side of the cañon, that "it was all folly, there were no Apaches in the country, and the sending of troops here was only a big speculation."

The Major was evidently the victim of that class of liars who are asserting through the San Francisco *Flag* and other sheets that there are no troublesome Indians in the country. We deem these liars more despicable than those who incessantly exaggerate the strength and prowess of the Apaches, because they throw unsuspecting or foolish men off their guard, and as it were lead them into the jaws of death. While the exaggerators intimidate the traveller, they at the same time prompt him to a degree of caution which is his greatest security, but these knaves, who prate of there being no danger, deliberately give him over to cruel slaughter, and all through a wilful perversion of the truth for some sinister end.

Because General Banning is presumed to have made a few dollars by a beef contract, or Hooper & Co. have a good thing at Yuma, and the liars and their friends (who probably have neither the responsibility to fulfil a contract, or the shrewdness to get it), are not especially favored, it is coolly asserted that there are no savage Indians in the country.

From both grades of these unscrupulous and cowardly falsifiers, those who make it out that travel and residence here are impossible because of Apaches, and those who say there is no danger, and whose hands are red with the blood of Major Miller and his companions, we pray the good Lord most speedily to deliver our fair Territory. While their long tongues and tireless pens are at work the outside world will constantly be deceived as to affairs here, and the interests of the Territory be most seriously retarded.

## PORT McDOWELL.

The central and commanding location of this post is likely to make it one of the most important military stations in the Territory, and we are pleased to know that it is in good hands. Lieutenant-Colonel Bennett, the commanding officer, has entered with zeal upon the experimental military farm ordered to be established by General McDowell. The site chosen, on the west side of the Verde, about half a mile north of the post, is a rich bottom, easy of irrigation. The main aqueduct will begin at a point about four miles north of the post. An hundred acres have already been ploughed and will be planted without delay. Sorghum, or Chinese sugar-cane, and corn, will be the principal crops. Besides the citizens authorized to be employed, the troops will devote a part of their time to labor upon the farm, and Colonel Bennett is to remain as superintendent after the expiration of his term of service. He is daily expecting an order from San Francisco mustering him and his men out.

The garrison at the fort is now composed of company I, First California cavalry, and companies B, D and E of the Fourteenth regular infantry. Lieutenant Reid, of the Arizona volunteers, is quartermaster at the post. Jerry Stevens, of White & Co., Pima village, one of the best fellows in the Territory, is the sutler. It is 45 miles from the fort to Pima, over a good road, and Captain Coster, of General McDowell's staff, and a party are now engaged in surveying a direct road to Wickenburg.

Fort McDowell is near to the range of some of the worst of the Apaches, and we hope that those now in command, or who may be in command, will remember that while the farm is a good thing and that its success will be a great benefit, the all important work of the troops is to destroy our barbarous foe, and that to this end frequent and vigilant aggressive movements in the enemy's country are necessary.

## THE GOVERNORSHIP.

The daily *Alta California*, of March 17, has the following telegram from Washington:

WASHINGTON, March 16.—Secretary McCormick of Arizona Territory, has been appointed Governor of Idaho, vice Carey Lyon.

This dispatch bears the stamp of accuracy, and yet it is difficult of explanation, inasmuch as Mr. McCormick has never proposed going to Idaho nor authorized the use of his name in connection with an appointment there. Idaho is largely populated and a very rich country, but Mr. McCormick's interests here are so extensive, and the present prospects of Arizona are so good that we presume it will require strong inducements to warrant him in leaving. Having no official knowledge of his appointment, he is, of course, not called upon to make a decision at present. Governor Lyon, of Idaho, and Mr. McCormick have been close friends, living for a time as neighbors in the same Congressional district in the State of New York.

In this connection we may state that, after carefully following up the report that Colonel Poston has been appointed Governor of Arizona, we find it to be without foundation, although it is a common impression, as he has been working very hard for the place, that he may secure it. Another week or two will probably settle the matter, both as to the official disposition of the Secretary and the Colonel.

## ANOTHER VICTORY FOR THE VOLUNTEERS.

TWENTY-TWO APACHES KILLED.

We have to report another most successful raid upon the Apaches by the Arizona volunteers. On the 20th of March Lieutenant P. Cervantes and Surgeon Edward Palmer, with twenty-six men of company A, started from Camp Lincoln, on the Verde, upon a scout to the eastward. On the first night the troops went about twelve miles, and the next night four miles; the next night twelve miles. From there two scouts were sent in a southeasterly direction, who reported seventy miles distant a large rancharia, with forty fires. Fearing this was too large a party for his small command, Lieutenant Cervantes moved thirteen miles on the following night, and sent out two scouts, one east and one north. At midnight the former returned, reporting fires near by. The command moved five miles to an abrupt descent, to Fossil creek, which point was reached at one o'clock a. m. It was sunrise before a passable way to the rancharia was found. Sergeant Manuel Coronado and eighteen men were sent to surround the savages, Lieutenant Cervantes, Dr. Palmer, and four men remaining on the hill as decoys.

The sergeant and men were within twenty yards of the Indians before they were discovered. Immediately upon the beginning of the firing the Lieutenant, Doctor and men joined in the fight, which became general and desperate, lasting twenty-five minutes, and resulting in the killing of twenty-two of the Apaches, the wounding of five, and capture of two prisoners. Only one male and two squaws escaped uninjured. The Indians were only armed with bows, and many of them had not time to draw those. Such as took part in the fight acted with great bravery, several squaws showing remarkable courage.

The soldiers behaved admirably. Although they left the Verde without an animal, and packed ten days provisions on their backs, besides their arms and blankets, they were constantly eager for the march, and returned in fine spirits. They are now preparing for an attack upon the large rancharia referred to, and expect a great success.

This second important victory of our native troops over the Apaches, within a few weeks, has won for them a proud name, and their praises are everywhere shouted. They seem to understand how to fight the Apache, and are willing to make the long and tiresome marches by night which alone insure success. They are deserving of every care and protection, and we hope they will be continued in service, as requested by the memorial of the Legislature to the War Department.

We are indebted for most of the particulars herein given to Surgeon Palmer, who arrived here on the 2d instant, and who is devoted to the best interests of the Arizona volunteers, and constantly co-operating with Captain Washburn and Lieutenants Cervantes and Gallegos on their behalf, as well as sharing their marches and exploits.

## STILL ANOTHER VICTORY.

Since writing the foregoing we have seen a letter from Lieutenant J. D. Walker, of company C, Arizona volunteers, (Pima Indians,) stating that that company, accompanied by 260 Pima soldiers, and 40 men of company B, Arizona volunteers, (Maricopa Indians,) left the Pima Villages on the 25th of March, and on the morning of the 31st, (the point not stated) had a fight with the Apaches, killing twenty-five of them, taking sixteen prisoners, and eight horses. Three of the Pimas were wounded, and one has since died.

This is another fine feather in the cap of the Arizonians, and a powerful argument for their retention in the service. Lieutenant Walker, who is accounted one of the best officers in the Territory, may well be proud of such a success, and the Pimas and Maricopas are at this rate likely to get even with their old and fiendish enemies.

## COLORADO.

Two Legislatures were lately in session in Colorado, one under the Territorial organization and one under that of the State, which would seem to have been somewhat premature, as by the last reports from Congress it appears that the State has not yet been admitted to the Union. The messages of the Territorial Governor (Cummings) and of the State Governor (Gilpin) are both received, and both very creditable documents. The former is practical and plain, the latter in true Gilpin style. As there are numerous Coloradans in Arizona we shall endeavor to print extracts from each of the messages.

INDIAN STORIES.—Parties lately arrived from San Bernardino say that they were told frightful stories of Apache troubles, and warned not to attempt to reach here by men who must have known that they were exciting unnecessary alarm, and whose interest in the Territory ought to have prevented their circulating false reports. Many of the people of California seem to think that life is entirely unsafe here, and to delight in reporting anything and everything calculated to injure the Territory. Whether actuated by malice or ignorance, and we think the latter is the chief cause, these alarmists are doing us much harm and ought to be silenced. For such persons as those referred to at San Bernardino, who must know better and yet try to deter travellers from coming here, no denunciation is too severe.

J. ROSS BROWNE has arrived in San Francisco. We regret that his health was such that he had to abandon his proposed visit to Prescott.

In San Francisco a man was, lately, fined five dollars for telling another man to "go to hell." Fines on profanity would produce a large revenue in Arizona.

## THE ARIZONA VOLUNTEERS.

Captain Washburn's command, at Camp Lincoln on the Verde, is doing good service. Another decisive victory over the Apaches is elsewhere reported. The party sent out by order of the Captain consisted of twenty-seven men of company A, under Lieutenant Cervantes, and Dr. Palmer, the indefatigable surgeon of the camp. The men packed their provisions on their backs, and travelled only in the night time. They saw what seemed to be a very large rancharia in Tonto Basin, but thought it imprudent to make an attack with so small a force. Soon after they discovered a rancharia of some thirty of the savages, and coming quietly upon it succeeded in slaying, wounding and capturing nearly all within it.

Captain Washburn, his officers and men, evidently know how to hunt the Apache, and we regret that we have not a full regiment of the volunteers. We believe that at less expense, with less parade, and much less delay, they would rid the country of its only barrier to great prosperity, although they may not be as good soldiers as the regular troops. While the spirit and courage of the regulars cannot be questioned, they lack that familiarity with the country and with travel over the hills and gulches, that ability and willingness to subsist on coarse food and to pack it, and that knowledge of the ways of the Apache possessed by the native volunteers, which are requisite to the most successful service in this country.

APACHE OUTRAGE.—On the 23d of March, in a cañon at a place called Round Valley, on the road from Pima Villages to Fort Grant, (formerly Fort Breckinridge) and about 35 miles from the latter place, a party consisting of Major Miller, of the Fourteenth regulars, and Dr. Tappan, late medical purveyor of this district, with an escort of six soldiers of the Fourteenth, a citizen teamster and Mexican attendant, was attacked by a large band of Apaches. Major Miller was instantly killed and Dr. Tappan severely wounded. Four of the soldiers were killed. The other two, with the teamster and Mexican, escaped to the Tucson road and thence to Pima. Dr. Tappan was carried a distance, when he suffered so for water that the others of the party left him to search for it, and upon their return he could not be found, and is presumed to have wandered off in a fit of desperation and died. Why he was abandoned by the whole party is unexplained, and the act seems to have been inexcusable. General Mason, who was at Tucson, received information of the attack on the following day, and sent parties in all directions, both to find the Apaches and the doctor, but without success, up to our latest information. It is hoped that the Apaches killed by the Pimas and Maricopas on the 31st were of the same band.

MAIL MATTERS.—There is much complaint regarding mail service in the Territory, and so far as the route between here and Wickenburg is concerned, an immediate reform is needed. It is now some weeks since a mail arrived or departed on time, or since one was brought or taken away by the regularly employed carrier. But for the kindly nature of Quartermaster Tuttle, who employed Mr. Jas. O. Robertson to go to Wickenburg, we should have had no way to send our letters out, and but for Captain Ledyard and our old friend Draper, or "Butch," we should of late have received no letters or papers. The mail received on Sunday night was brought by "Butch," on private account, and he has been employed by Captain Tuttle to bring up the one now lying at Wickenburg. There is a screw loose somewhere and we wish the contractor would hasten here to put it right. We have no desire to dictate to him, but if he could make it convenient to live in the Territory, or if not, to have an active and responsible agent here who could promptly pay the carriers and supply them with new animals, he would find the Apaches and a lack of military escort, no obstacles to a prompt and regular service.

QUARTZ MILLS.—We hear that the Thunderbolt Crusher mills are at Hardyville, and that wagons will go from here at once for at least one of them. Mr. Borger's mill is supposed to be at La Paz, and will be ordered to Hardyville unless transportation can be had at La Paz. Messrs. Coulter and Tyson, having a trusty friend going to San Francisco, have instructed him to secure their stamps, and will remain here preparing a place for their mill on Lynx Creek. Mr. Wickenburg is doing well with his mill at the Vulture. The Curtin mill, now owned by Jack Swilling, is offered for sale, and may be brought here, as Swilling is absorbed in the proposed expedition to the Chiricahua mountains. The Vickroy mill is not yet placed, although the shaft on the Bully Bueno is progressing and said to show a large vein. Colonel Woolsey's mill, to run by water power, and put up near his Agua Frio ranch, will be in operation during the present month. Arrangements are making for a mill on the Big Rebel and other lodes in Walnut Grove, and Mr. Hardy is to have a large mill to work the ore of his Southern Cross lode, near Hardyville. Work is progressing, and a mill will soon be put on the Moss lode.

DEERTERS.—In consequence of the large number of desertions from the regular army during the past few months, General Grant has issued an order calling on the commanders to take more stringent measures for checking the evil, also to investigate the cause and scrutinize the treatment of soldiers by commissioned officers.

HORRIBLE.—We hear that one of the soldiers with Major Miller was shot in the head with an arrow. His companions tried to remove it, when it broke off, leaving the head in his brain. He was soon crazed and uncontrollable, and died a horrible death, literally beating himself to pieces on the rocks by the road side.

## THE ARIZONA MINING COMPANY IN COURT.

Herewith we print the opinion of Judge Backus, of the First Judicial District, in the case of Joseph Black vs. the Arizona Mining Company, to which our Tucson correspondent refers in the letter on the outside of the present number of the MINER. We thought to defer its publication until the next number, but as we have the space, and the opinion must prove of interest to our people, we give it without delay. The Arizona Mining Company, it is hardly necessary to state, is the corporation owning and working the Cerro Colorado or Heintzelman silver mine in Pima county.

In the District Court of the First Judicial District of the Territory of Arizona, sitting as a Circuit and District Court of the United States.

Joseph Black vs. the Arizona Mining Company.

This is a motion to quash and set aside the attachment, summons, and other proceedings in the cause for irregularities, insufficiencies and other defects alleged to appear on the face of the papers and by affidavit.

The defendants, by their attorney, rest this motion on several objections stated, to the proceedings, two only of which, out of the several stated, in the view I have been compelled to take of the case, I deem it necessary now to consider, as being decisive of the question of the insufficiency or sufficiency of the proceedings, and these two questions go to the jurisdiction of the court as to both the subject matter and the parties. It would be but an idle waste of time and productive of no good, either as settling rights or establishing principles, to go into an extended consideration of all the various subordinate objections when, finally, the whole case must be decided on a question of jurisdiction going to the legal competency of the suit itself.

The present suit is brought by Joseph Black, as plaintiff, who is described in the proceedings as an alien and British subject, now resident in Mexico, against the Arizona Mining Company as defendant alleged to be a corporation and association created and existing under the laws of the State of New York. The subject matter of the suit is alleged to be certain drafts, and an open account owned and held by plaintiff against the defendants. The suit is instituted in the District Court of the United States for the First Judicial District, by process of summons and attachment, a method recognized by the Territorial Code for commencing suits in the Territorial Courts. The summons is returned by the Marshall as served on the agent of defendants, O. M. Davidson, and the attachment is returned served by a seizure of the property of the defendants by the same officer. It nowhere appears that the defendants have complied, or pretended to comply, with the provisions of chapter 51 of the Code, in relation to foreign corporations, so as to constitute an agent, under that Code, competent to receive the service of process, so as to bind the principal—the foreign corporation or association, even if such compliance would in any way affect this case. The case, therefore, rests upon the common law and the acts of Congress regulating the jurisdiction and process of the District Courts of the United States.

In the original law creating the Territory of Arizona [Act of Congress of the 24th of February, 1863,] reference is had to the Organic Act creating the Territory of New Mexico [Act of Congress, September 9, A. D. 1850,] as defining and limiting the powers and jurisdiction of the courts thereby created. This latter act vests the judicial powers of the Territory in a Supreme Court, District Courts, Probate Courts and Courts of Justices of the Peace. By the ninth section of the Act, after vesting in the Supreme and District Courts both chancery and common law jurisdiction, it provides for the appointment of clerks of said Courts, for writs of error, bills of exception and appeals from the decisions of the District Court to the Supreme Court, and also writs of error, etc., from the decisions of the Supreme Court of the Territory to the Supreme Court of the United States; it then provides that each of said District Courts shall have and exercise the same jurisdiction, in all cases arising under the constitution and laws of the United States, as is vested in the Circuit and District Courts of the United States. Under the provisions of this Organic Act these District Courts thereby created, have, and are required, to act in a double capacity: First, as Territorial Courts, in the general chancery and common law jurisdiction, as, from time to time, the same may be regulated and limited by the laws of the Territory, and second, as Courts exercising the powers and jurisdiction of Circuit and District Courts of the United States, as created and regulated by the constitution and laws of the United States.

These District Courts, as all other Territorial Courts, as all other Territorial Courts, are not constitutional Courts in which the judicial powers conferred by the constitution of the general government can be deposited. They are incapable of receiving it; they are legislative courts, created in virtue of the general right of sovereignty which exists in the government, or in virtue of that clause which enables Congress to make all needful rules and regulations respecting the Territories of the United States. The jurisdiction with which they are invested is not a part of that judicial power which is defined in the third article of the constitution, but is conferred by Congress in the execution of these general powers which that body possesses over the Territories of the United States. The American Insurance Company vs. Coster, 1 Peters, 511, 546. The validity or invalidity of the proceedings in the present suit must depend on whether, first, the subject matter of the suit is within the jurisdiction of this Court, sitting as a District Court of the United States, and, second, whether the parties to the suit are within its jurisdiction, either failing, the proceeding cannot be sustained. Both of these fundamental questions must be settled by reference to the legislation of Congress creating and conferring jurisdiction in its measure and method of exercise on the District Courts of the United States, which jurisdiction this Court is now exercising. Substantially, the whole legislation of Congress on this subject is embraced in an Act entitled An Act to establish the Judicial Courts of the United States, [usually termed the Judiciary Act,] approved September 24, A. D. 1789. The ninth section of this Act, which in this respect has remained unchanged from the beginning, provides "that the District Courts shall, exclusively of the several States, have cognizance of all crimes and offenses that shall be cognizable under the authority of the United States, committed within their respective districts, or upon the high seas; when no other punishment than whipping, not exceeding thirty stripes, a fine not exceeding one hundred dollars, or a term of imprisonment not exceeding six months, is to be inflicted; and shall, also, have exclusive original cognizance of all civil causes of admiralty and maritime jurisdiction, including all

seizures under law of imports, navigation or trade of the United States, where the seizures are made on waters which are navigable from the sea by vessels of ten or more tons burthen, within their respective districts as well as upon the high seas; saving to suitors, in all cases, the right of common law remedy, where the common law is competent to give it; and shall also have exclusive original cognizance, concurrent with the Courts of the several States, or the Circuit Courts, as the case may be, of all causes where an alien sues for a cost only in violation of the law of nations or a treaty of the United States. And shall also have cognizance, concurrent as last mentioned, exclusive of costs, to the sum or value of one hundred dollars. And shall also have jurisdiction, exclusively of the Courts of the several States, of all suits against consuls or vice-consuls, except for offences above the description aforesaid."

By these provisions it will at once be seen that the jurisdiction of the District Courts is exclusively criminal, except only as to a very limited class of cases specified; the subject of this suit being a civil suit, and between parties not contemplated by the Act of Congress, it is not, therefore, within the jurisdiction of this Court and cannot be sustained. But another and equally fatal objection exists as to the parties and the service of process in this case. By the eleventh section of the Act above referred to it is provided that "no person shall be arrested in one district for trial in another, in any civil action before a Circuit or District Court. And no civil suit shall be brought before either of said Courts against an inhabitant of the United States, by any original process in any other district than that where he is an inhabitant, or in which he shall be found at the time of serving the writ." The construction of these provisions have been fully and definitely settled by the Courts of the United States, holding that no civil suit like the present, by attachment or otherwise, can be sustained in any of the Courts of the United States, except upon personal service of process on the defendant. *Ex parte Graham*, Wash. C. C. 456. No such service was had or claimed to be had in this case, and the service, upon an agent, claimed to have been had in this case is neither sanctioned or sustained by common law or statute, to give jurisdiction to this Court. The proceedings, therefore, cannot be sustained.

It is unnecessary to consider the other objections taken, involving the address of process, its test and the regularity of proceedings under the attachment law of the Territory. The attachment must be dissolved and the suit dismissed. Let an order be entered to that effect.

THE VETO.—A Washington telegram says: "All agree that the message is most ably written, and is an admirable argument, presenting incontrovertible points. The common belief is that Mr. Seward wrote or revised it, hence comes the speculation how the Cabinet stood, and report says that Messrs. Seward, McCulloch, Welles and Dennison favored the veto, the others opposing."

The effect immediately apparent here is marked between joy and anger—perhaps dismay. It is only too apparent that the breach is widening between the President and the Radical party, whether too wide for either to jump across, or whether either is disposed to jump, remains to be seen. The veto having been addressed to the Senate, the question came up at 1 o'clock to-day, whether to pass the bill over the veto, which was lost by a vote of 30 yeas to 18 nays, not two-thirds. The question was lost, and therefore cannot reach the House, the veto having been put on general grounds. No attempt will be made to pass another Freedmen's bill."

The San Francisco *Alta*, *Call*, and *Bulletin*, stand by the President. The Sacramento *Union* opposes him. The Union papers all over California are divided in sentiment, but a majority seem disposed to hoot the idea that Johnson has committed any great wrong. The San Jose *Patrol*, edited by the man who was first to advocate the Republican doctrine in that State—who, we believe, published the only Republican paper in the State in 1856—says:

"The Radicals are alone and wholly to blame in producing the present rupture in the Union party. They produced the issue, defiantly daring the President to oppose their mad schemes. The President calmly, bravely, patriotically, availed his time, and when it came, fearlessly did his duty. This is our solution of the crisis; and believing it, we advise the friends of the administration, more especially the old vanguard Republican friends of the administration, to stand by the government. Let us be true to ourselves, to principle, and to the country."

The Mariposa *Gazette*, a Union paper from the start, uses the following sensible language: "There is at present considerable discussion over the difference between the President and the Radical Unionists upon the reconstruction question, and many Union papers use little moderation in referring to the matter. Some seem anxious to make a fight about it and create a breach in the party. Would it not look better for such to be a little more charitable and wait until they see more clearly the results of the President's policy, and not try to force a division? The President has suffered more from the war than any who now talk against him, and why seek for cause to oppose him? At least let him have the benefit of reasonable doubt, and do not condemn until a fair trial is given."

## WHAT IS A YANKEE?

PRESCOTT, April 11, 1896.  
EDITOR OF ARIZONA MINER.—The question has been asked me three times during the past week what kind of a man I called a Yankee. To answer it for all I enclose my

## DEFINITION OF A YANKEE.

As the Yankees are creating no little excitement in the commercial, political and military world, I hope my definition of a real, genuine, male Yankee will not be considered a misnomer.

A real, genuine Yankee is full of animation, checked by modulation, guided by determination, and supported by education. He has veneration, respect and toleration, with a love of self-protection and emulation, and when reduced to a state of aggravation can assume a state of profound dissimulation for the purpose of retaliation, always combined, if possible, with speculation.

A real, live Yankee, just caught (if you can) will be found not deficient in the following qualities: He is self-denying, self-relying, always trying, and into everything prying. He is a lover of piety, propriety, notoriety, and the temperance society.

He is a dragging, gagging, bragging, striving, thriving, swopping, jostling, wrestling, musical, astronomical, poetical, philosophical, and comical sort of a character, whose manifest destiny is to spread civilization to the remotest corner of creation.

## EASTERN NEWS.

We have San Francisco papers of March 20th, containing telegrams from the east to March 19th:

Freeman Clark, Controller of the Currency, has published a letter, charging Secretary McCulloch with selling bonds without authority of law, and with publishing grossly erroneous statements of the condition of the National Treasury. The letter has caused a sensation. McCulloch has not yet attempted to answer these charges, as he is said to doubt the propriety of entering upon a controversy with a subordinate officer.

The mail lettings for the Pacific States have been completed. Competition was brisk and prices have been reduced. H. W. Forbess takes the contract for carrying the Oregon mail, on the route from Lincoln to Portland, at \$179,000 per annum. The present pay on that route is \$225,000.

The Army bill, as passed by the United States Senate, provides for ten white and two colored regiments of cavalry, forty-two white and eight colored regiments of infantry, leaves the artillery regiments unchanged, authorizes the enlistment of 1,000 Indian scouts for frontier service, and gives veteran volunteers a chance for commissions below the grade of captain. Another Army bill is before the House.

The New Hampshire election, on the 13th, resulted in a complete Union victory, as foreshadowed in the estimates of the State committee. Smith is elected Governor by 5,000 majority, and the Legislature is Union by a majority of three-fourths of the whole number of members.

The bill for the admission of Colorado into the Union was rejected in the United States Senate by a vote of 49 yeas, 21 nays. Debate was held on it that the population was not over 25,000 and was actually decreasing.

The House of Representatives passed the Civil Rights bill, as amended by the Judiciary committee, by a vote of 100 yeas, 18 nays. The Fortification Appropriation bill was also passed. Liberal appropriations are made for fortifying the harbor of San Francisco.

A man supposed to be the notorious Quattrone has been arrested in New York and taken to Washington.

The Commissioner of Internal Revenue, in a report to Congress, expresses the opinion that special legislation will be necessary, before the tariff can be revised, to check ruinous importations.

S. H. Parker, formerly postmaster at San Francisco, fell dead at the Lick House, in that city a short time since.

To an appeal from Georgians for the removal of colored troops from the interior of that State, General Grant has replied that he would remove them as soon as he could substitute other troops.

Secretary Seward has notified Sir Frederick Bruce, British Minister, that the Government will take measures to prevent the violation of the neutrality laws by the Fenians. The excitement in Canada over the alleged prospect of a Fenian raid continues. It is surmised that the Provincial authorities are stimulating this war fever in order to carry through the Confederation scheme.

Canada is ablaze! In response to the call of the Provincial government, about 20,000 volunteers have rallied for the defense of the frontier. The day for a Fenian surprise in that direction seems to have passed.

A house worth \$75,000 on Harrison avenue, St. Louis, the property of David Nicholson, has been presented to General Sherman, and the balance of five thousand dollars placed to his credit in bank, by the committee of subscribers to the fund raised last August.

Jared Sparks, historian and ex-President of Harvard College, died at Cambridge March 14, of pneumonia.

Legal Tenders sold in San Francisco on the 19th ult. for 75 cents.

MOVING.—A general order lately issued by General Mason contains the following:

4. Except in cases especially ordered from these or superior headquarters, officers when travelling on public service without troops, by virtue of orders from their superiors, will, if not mounted officers, be furnished for their transportation not to exceed one saddle mule and one pack mule. Mounted officers will be allowed not to exceed one pack mule, and when several officers are travelling together they shall be allowed not to exceed one pack mule for every two officers.

5. Officers travelling with troops will be restricted to the minimum allowance of transportation.

6. No tents of any kind will be carried as part of any baggage train. They may be sent forward with supply trains, to be used at posts and stations, and will not be taken by troops either on the march or in the field.

7. No buildings of any kind will be erected at any of the posts other than such as may be necessary for the protection of supplies and for the sick. These will be of the most temporary kind, and no quarters other than shades or shelter for the troops will be made. The posts will habitually be left with but a sufficient guard for their protection. The balance of the troops will be kept constantly on the move after Indians, returning to their posts only to refit and for supplies.

This looks like business, and gives good hope of vigorous movements against the Apaches, and of a determination to make the march and the fight the foremost duties of both officers and men. Henceforth, if the order is observed, the charge that too much time has been given to building quarters and to camp duty generally cannot be sustained.

OWYHEE WAR.—The recent Indian depredations on the Jordan, Idaho Territory, have raised the martial ire of the citizens of Owyhee, and they are going after the Indians. At a meeting of the citizens of Silver and Ruby cities, lately, resolutions were adopted as follows:

Resolved, That three men be appointed to select twenty-five men to go Indian hunting, and all those who can fit themselves out shall receive a nominal sum for all scalps that they may bring in, and all who cannot fit themselves out shall be fitted out by this committee, and when they bring in scalps it shall be deducted out.

2. That for every buck scalp be paid \$100, and every squaw scalp \$50, and \$25 for everything in the shape of an Indian under 19 years of age.

3. That the chair appoint three men to pick out twenty-five men to go hunting Indians.

4. That each scalp shall have the curl of the head, and each man shall make out that the said scalp was taken by the company.

MURDER AT FORT YUMA.—We hear that a few days since a cruel murder was committed at Fort Yuma. One Wilson, a wagon master, was killed by a gambling desperado. The people immediately tried and hung the murderer, who confessed his crime.